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M	-18-05	
Mail Stop Amendment	Application Number	10/792,180
TRANSMITTAL FORM	Filing Date	March 3, 2004
	Confirmation Number	4931
To be used for all correspondence after initial filing)	Inventor(s)	RUSSELL
	Group Art Unit	2878
Express Mail Label No.: EL 997384699 US	Examiner	Taningco, M.
Total Number of Pages in This Submission: 16	Attorney Docket No.	02-68
ENCLOSUR	ES (check all that apply)	
Fee Transmittal Form (submit in duplicate) Assignmen	nt Papers	Issue fee Transmittal Form PTOL- 85(b) + (c) and Cover Sheet
Fee \$ Cove	er Sheet	After Allowance Communication to Group
	hange Authorization	Appeal Communication to Board of Appeals and Interferences
Amendment / Response Request for Forms	r Return of PTO-1449	Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
After Final Petition to	the Commissioner	Request for Continued Examination (RCE)
Affidavits / Declaration(s) To Convert Application	a Provisional	Status Request Letter
Extension of Time Request Power of A Change of	ttorney, Revocation Address	Small Entity Statement
Information Disclosure Statement Terminal D	isclaimer(s)	Request for Refund
Form PTO-1449 Certified Conduction	opy of Priority	Response to Missing Parts / Incomplete Application

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	Fee Attac	ched \$		Cover Sheet			After Allowance Communication to Group
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\boxtimes	Amendme	ent / Response		Request for Return of PTO-144 Forms	49		Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
	After	Final		Petition to the Commissioner			Request for Continued Examination (RCE)
	Affid	avits / Declaration(s)		To Convert a Provisional Application			Status Request Letter
	Extension of	Time Request		Power of Attorney, Revocation Change of Address			Small Entity Statement
	Information I	Disclosure Statement		Terminal Disclaimer(s)			Request for Refund
	Form	n PTO-1449		Certified Copy of Priority Document(s)			Response to Missing Parts / Incomplete Application
		l References ch report	\boxtimes	Certificate of Mailing by Expres Mail	ss		
	Drawing(s):	Number of Pages	_	Other Enclosure(s):			
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	☐ Form						
	Infor						
Current Due Date: November 17, 2005							
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT							
Individ Compa	ual and any	Michael W. Haas, Re RESPIRONICS, Inc.,	-	35,174 Murry Ridge Lane, Murrysville PA	A. 1566	8	
Signature Muhael W. Hon							
Date		November 17, 2005		·			
<u> </u>				CERTIFICATE OF MAILING			
postag Mai <u>2005,</u>	e as "Expres I Stop Amen	s Mail Post Office to Add	resse r Pate	nclosures are being deposited wi e" in an envelope addressed to: nts, P.O. Box 1450, Alexandria,			States Postal Service with sufficient 450 on this date: November 17,
Typed Name Michael W. Haas, Reg. No. 35,174							
Signatu	ure	Mill D		6/2	Date	<u> </u>	lovember 17, 2005

FEE TRANSMITTA

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Reissue independent claims

Reissue claims in excess of 20

\$ 0.00

over original patent

SUBTOTAL (2)

and over original patent

(Effective 12/08/2004)



Publication Fee

SUBTOTAL (3)

TOTAL AMOUNT OF PAYMENT \$ 0.00 Attorney Docket No. 02-68 **METHOD OF PAYMENT** FEE CALCULATION (continued) The Commissioner is hereby authorized to charge indicated fees and credit any over payments to: 3. APPLICATION SIZE FEE 1. 🔀 If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 for each additional 50 sheets or fraction thereof. See 35 U.S. C. \S 41(a)(1)(G) and 37 C.F.R. \S 1.16(s). Deposit Account Number Extra Sheets Number of each additional <u>Total</u> <u>Sheets</u> Deposit Fee(\$) <u>Fee</u> Paid(\$) 50 fraction thereof Name -100 =/50 = X 250 (round up to a whole number) 0.00 Charge any additional fee required under 37 C.F.R. §§ 1.16, 1.17 1.19 and 1.20 Charge the Issue Fee set forth in 37 C.F.R. § 1.18 4. ADDITIONAL FEES **Fee Description** Large **Entity** Small Entity Fee Paid Fee Code (\$) (\$) Code 1051 130 2051 65 Surcharge - late filing fee or declaration Payment Enclosed: Check (Check No. 1811 100 1811 100 Certificate of Correction FEE CALCULATION (fees effective 12/08/2004) 1812 2,520 1812 2,520 For filing a request for reexamination Additional filing receipt, duplicate or corrected 1. BASIC FILING, SEARCH, AND EXAM FEES 576 25 25 576 due to applicant error (Large Entity Only) 1251 120 2251 60 Extension for response within first month Appln. Filing Search Exam 1252 Extension for response within second month 450 2252 225 Type Fee(\$) Fee(\$) Fees Paid Fee(\$) Utility 500 1253 1,020 2253 510 Extension for response within third month 300 200 1254 1,590 2254 795 Extension for response within fourth month Design 200 100 130 1255 Extension for response within fifth month Plant 200 300 160 2,160 2255 1.080 1401 500 2401 Notice of Appeal Reissue 300 500 600 250 1402 500 2402 Provisional 200 0 0 250 Filing a brief in support of an appeal 1403 1.000 2403 500 Request for oral hearing SUBTOTAL (1) 1452 500 2452 Petition to revive unavoidably abandoned application \$ 0.00 250 Petition to revive unintentionally abandoned application 2. CLAIMS 1453 1,500 2453 Extra Fee from 750 Claims **Below** Fee Paid Total Claims <u>10</u> - <u>20</u> * <u>0</u> x 25 = 0.00 1501 1,400 2501 Utility issue fee (or reissue) 700 Design issue fee Ind. Claims - <u>5</u> * 100 = 1502 800 2502 4 <u>0</u> x 400 0.00 1814 130 2814 Statutory Disclaimer Multiple Dependent Claims add 360 = 0.00 65 * Enter Highest Number Previous Paid For 1460 130 1460 130 Petitions to the Director Large Entity Fee (\$) Small Entity Fee Description 1807 Petitions related to provisional applications 50 1807 50 Fee 1202 1806 Submission of Information Disclosure Stmt 50 2202 180 25 Claims in excess of 20 1806 180 Recording each patent assignment per property (times number of property) 1201 200 2201 100 Independent claims in excess 8021 40 8021 40 1203 360 2203 180 Multiple dependent claim 1801 790 2801 Request for Continued Examination 395

SUBMITTED BY	,				
Typed or Printed Name	Michael W. Haas			Reg. Number	35,174
Signature	Rufael h. Hon	Date	November 17, 2005	Deposit Account Number	50-0558

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Other Fee (specify)

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\$ 0.00



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of

Inventor

RUSSELL

Appln. No.

10/792,180

Conf. No.:

4931

Filed:

March 3, 2004

Title:

IMPROVED OPTICAL SYSTEM FOR A GAS

MEASUREMENT SYSTEM

Group Art Unit

2878

Examiner

Taninaco, M.

Docket No.

02-68

November 17, 2005

AMENDMENT

Hon. Commissioner of Patents and Trademarks Alexandria, VA 22313-1504

Sir:

INTRODUCTORY REMARKS

In response to the Official Action dated August 17, 2005, please enter the following amendments and consider the following remarks.

Amendments to the Specification begin on page 3 of this paper.

Amendments to the Claims are reflected in the listing of the claims, which begin on page 4 of this paper.

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.10

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on November 17, 2005 with sufficient postage as "Express Mail Post Office to Addressee" in an envelope addressed to:

Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Express Mail Label No. EL 997384699 US.

Michael W. Haas, Reg. No. 35,174

RUSSELL -- Appln. No.: 10/792,180

Remarks begin on page 10 of this paper.